

March 8, 2021

From: Lt. Jeff Solemsaas

To: Senate Transportation Committee

Re: HB 1279

Chairman Clemens and members of the Senate Transportation Committee,

I am here today to offer testimony in support for the first version of HB 1179. The original proposal was to change the fees for speeding violations to a uniform rate of \$5.00 per mile per hour over the speed limit. In exchange for that the communities in North Dakota would offer the stipulation that these fees could not be increased.

As you may know, in the 66<sup>th</sup> Legislative session there was a bill introduced that allowed communities to double the fees established by the Legislature for moving violations. This was in response to testimony from law enforcement officers citing how the fees as established had no deterrent effect on driver behavior. I testified several times in support of that bill.

Although the bill that allows communities to increase the fees for moving violations has had some positive effect, this current proposal erases that progress. This bill will eliminate the ability for communities to increase the fees for moving violations and also reduces the fee structure to \$2.00 per mph. This is what the current structure is for communities across North Dakota.

I also noted that this bill would also not increase the fees for most moving violations in the state keeping those at the same level established many years ago. The change would be that Bismarck would no longer be allowed to double this fee structure, essentially reducing the fees that we currently are allowed to have.

I can tell you, in my experience, traffic complaints are one of the most received comments from the citizens of Bismarck. This may seem like a trivial complaint but it is certainly a quality of life situation that residents are extremely upset about. No one appreciates a driver "racing" through their neighborhood and they frequently contact me to demand that we take some action.

In doing some quick research I was able to determine that the number of citations for speed increased 19% ( 2,953 in 2019, 3,519 in 2020) and that citations for care required increased 72% (831 in 2019, 1,436 in 2020). I believe that this accurately demonstrates that driver behavior is

not be affected with the current fee structure. I saw that the number of citations for stop signs decreased slightly (513 in 2019, 443 in 2020). I believe that this was a result of increased enforcement and the increase fee for those violations. When drivers discovered that the value of stopping for stop signs had increased there was more interest in obeying those stop signs.

The fact is that the fee structure offers no deterrent effect for drivers. Most that I have had contact with think that the fees are a joke and not worth our time to enforce. Although there is an increased fee for speed violations above 10mph over the speed limit the concern is that this does not go far enough. If you ask any officer in North Dakota they could recite instances in which drivers laugh at the fees for speed.

Obviously, increased speeds have more of an effect on our residents than that from the frustration of the speed itself. Increased speeds also increase the likelihood of injury when involved in a collision. Officers enforce traffic ordinances in an effort to promote public safety, we do not do this with the fees involved in mind. If there is no deterrent with the fee structure there would be no reason for any driver to comply with the rules that were established to keep everyone safe.

If this bill were to pass in its current format the fees for most moving violations in Bismarck would actually go backwards. The fees for speed violations would remain the same. I think that this sends the entirely wrong message to drivers and reduces the morale of officers that are tasked with the enforcement of these crucial ordinances.

With these thoughts in mind I urge the committee to reject this bill in its current format and consider adopting the original version.

Lt. Jeff Solemsaas  
Traffic Section Commander